

REMARKS

Status of the Claims

Before this Response, claims 1 and 35-39 were present for examination. No claims have been added, amended, or canceled. Therefore, claims 1 and 35-39 are now present for examination.

Claims 1 and 35-39 stand rejected under 35 U.S.C. §103 as being unpatentable over U.S. Patent No. 6,483,983 (“Takahashi”) in view of U.S. Patent No. 5,900,868 (“Duhault”), and U.S. Patent Pub. No. 2004/0172588 (“Mattaway”).

Applicant respectfully requests reconsideration of the application in light of the remarks below.

Claims 1 and 35-39 – Rejected under §103

Claims 1 and 35-39 stand rejected as being obvious over Takahashi in view of Duhault, and Mattaway.

In a Examiner’s interview on November 7, 2010, Applicants discussed with the Examiner the shortcomings of Takahashi, Duhault, and Mattaway. Specifically, the following issues with the references and the rejection were agreed upon.

First, the “selection” in Mattaway is only a selection and not a selection *and* an execution. For example, Mattaway, at paragraph 0113 and 0114 disclose a “selection tool”. Based solely on its name, a “selection tool” is specifically designated as a tool for performing a selection action, and nowhere does the selection tool discloses execution. Furthermore, Mattaway discloses “that the selection tool permits the user to *select* a single or multiple objects within a NoteBook document.” Further, “[s]electing multiple objects can be performed by either dragging a bounding box within the document around it indicating”. In other words, this selector tool is specifically designed to “select” objects, but is *not* designed to playback (or execute) the selected object, as in claims 1 and 36. Therefore, for at least this reason, Applicants submit that

Takahashi in view of Duhault and Mattaway fail to teach or suggest each and every element of claims 1 and 36.

Second, the object is already selected in Takahashi and Duhault, so the selection in Mattaway is redundant or cumulative. For example, Takahashi and Duhault disclose selecting and searching recording and reproducing information, so assuming for the sake of argument that Takahashi and Duhault do disclose selecting, then any selecting performed by Mattaway would be redundant. Hence, Mattaway fails to add any relevant disclosure. Therefore, for at least this additional reason, Applicants submit that Takahashi in view of Duhault and Mattaway fail to teach or suggest each and every element of claims 1 and 36.

Thirdly, the objects in Mattaway are not executable objects (i.e., not applications or videos files), so no execution is contemplated or necessary in Mattaway. In other words, the objects are simply objects within a graphical editing tool. For example, this is supported by the fact that the application of the invention in Mattaway includes a “pencil tool” which “allows a user to draw freehand”, a “text tool” which allows a “user to enter a text object into a document”, etc. The objects in the Mattaway are not playable (or executable) videos, as in claims 1 and 36. Therefore, for at least this additional reason, Applicants submit that Takahashi in view of Duhault and Mattaway fail to teach or suggest each and every element of claims 1 and 36.

Accordingly, Applicants respectfully request that this rejection be withdrawn and claims 1 and 36 be allowed.

Furthermore, claims 35 and 37-39 depend from claims 1 or 36, thus, at least by virtue of their dependence on allowable base claims, Applicants submit that claims 35 and 37-29 are also allowable. Accordingly, Applicants respectfully request that this rejection be withdrawn.

CONCLUSION

For at least all of the foregoing reasons, Applicant believes all claims now pending in this Application are in condition for allowance. Therefore, the issuance of a formal Notice of Allowance at an early date is respectfully requested.

No fees are believed to be due with this paper, however, should it be deemed otherwise, the Commissioner is hereby authorized to charge any additional fees or credit any overpayment in connection with this paper to Deposit Account No. 20-1430.

If the Examiner believes a telephone conference would expedite prosecution of this application, please telephone the undersigned at 303-571-4000.

Respectfully submitted,

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